

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 03-04-08

John J. Tomaselli
TOMASELLI & CO.
110 Wall Street
11th Floor, No. 68
New York, New York 10005
Tel: (212) 461-4880
Fax: (212) 214-0318

ATTORNEYS FOR PLAINTIFF
COSCOL (HK) INVESTMENT & DEVELOPMENT CO., LTD.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

COSCOL (HK) INVESTMENT &
DEVELOPMENT CO., LTD.,

Plaintiff,

-against-

ESCOPEPA OIL & GAS CORPORATION,

Defendant.

08 Civ. 0864 - DC

**AMENDED ORDER FOR
ISSUANCE OF A WRIT
OF ATTACHMENT
AND GARNISHMENT**

MAR 5 2008 **AM** **RECEIVED**
UPON reading the Verified First Amended Complaint for issuance of process of
maritime attachment and garnishment pursuant to Rule B of the Supplemental Rules for Certain
Admiralty and Maritime Claims of the Federal Rules of Civil Procedure ("Supplemental Rule
B") and the affidavits and papers previously submitted in support of Plaintiff's Verified
Complaint and Verified First Amended Complaint, and the Court finding that the conditions for
an action under Supplemental Rule B appear to exist;

NOW, upon motion of Tomaselli & Co., attorneys for Plaintiff, it is hereby

ORDERED that the Clerk shall issue process of attachment and garnishment pursuant to Supplemental Rule B as prayed for in the Verified First Amended Complaint in the amount of \$6,935,590.00 against all goods, chattel, credits, letters of credit, bills of lading, debts, effects and monies, funds, credits, wire transfers, accounts, letters of credit, electronic fund transfers, freights, sub-freights, charter hire, sub-charter hire, or any other tangible or intangible property belonging to, claimed by, being held for or on behalf of, or being transferred for the benefit of Defendant Escopeta Oil & Gas Corporation, including but not limited to such property situated in the bank account(s) of or being routed to the Defendant Escopeta Oil & Gas Corporation and/or parties who are acting as the paying and/or payment agents for Defendant Escopeta Oil & Gas Corporation and/or are sending and/or receiving funds for the benefit of Defendant Escopeta Oil & Gas Corporation, including but not limited to: (a) Songa Management, Inc.; (b) Songa Drilling AS; (c) Songa Drilling ASA; (d) KCA Deutage Offshore AS; (e) KCA Deutage Offshore ASA; (f) Songa Drilling Pte Ltd.; (g) KCA Deutage Pte Ltd.; (h) Songa Offshore ASA; (i) Songa Offshore AS; (j) Abbott Group, plc.; (k) Joseph F. Archer, P.C.; (l) Joe Archer; (m) Joseph F. Archer, P.C. IOLTA Account; (n) Mehaffy Weber, P.C.; (o) Mehaffy Weber, P.C. IOLTA Account; (p) Ernest W. Boyd; (q) Butch Boyd; (r) Ernest W. Boyd IOLTA Account; (s) Chamberlain, Hrdlicka, White, Williams & Martin, P.C. (t) Chamberlain, Hrdlicka, White, Williams & Martin, P.C. IOLTA Account; (u) Lyman, Twining, Weinberg & Ferrell, P.C.; (v) Lyman, Twining, Weinberg & Ferrell, P.C. IOLTA Account; (w) Daniel S. Davis (aka Danny Davis); and/or (x) Centurion Gold Holdings Inc., which assets, goods or chattels are located at one or more of the following financial institutions:

Bank of America, N.A.

Bank of China

The Bank of New York
Citibank, N.A.
Deutsche Bank Trust Company Americas
HSBC Bank USA, N.A.
JPMorgan Chase Bank, N.A.
UBS AG
Wachovia Bank, N.A.
Société Générale
Standard Chartered Bank
BNP Paribas
Calyon Investment Bank
American Express Bank
Commerzbank
ABN Amro Bank
Bank Leumi USA
Banco Popular
Bank of Tokyo-Mitsubishi UFJ Ltd.
China Trust Bank
Great Eastern Bank
Industrial Bank of Korea
Nara Bank
Shin Han Bank
United Orient Bank

and it is further

ORDERED that payments for the benefit of Escopeta Oil & Gas Corp. received by payment agents Joseph F. Archer, P.C., Joe Archer, Joseph F. Archer, P.C. IOLTA Account, Mehaffy Weber, P.C., Mehaffy Weber, P.C. IOLTA Account, Ernest W. Boyd, Butch Boyd, Ernest W. Boyd IOLTA Account, Chamberlain, Hrdlicka, White, Williams & Martin, P.C.,

Chamberlain, Hrdlicka, White, Williams & Martin, P.C. IOLTA Account, Lyman, Twining, Weinberg & Ferrell, P.C., and/or Lyman, Twining, Weinberg & Ferrell, P.C. IOLTA Account will not be subject to attachment under this Order unless the payment in question is in an amount equal to or greater than \$1,000,000.00; and it is further

ORDERED that said Order will be equally applicable to any other garnishees upon whom a copy of the Process of Maritime Attachment and Garnishment herein may be served, in an amount up to and including \$6,935,590.00, pursuant to Supplemental Rule B; and it is further

ORDERED that any person claiming an interest in the property attached or garnished pursuant to this Order and the process of maritime attachment and garnishment shall, upon application to the Court, be entitled to a prompt hearing at which Plaintiff shall be required to show why the attachment and garnishment should not be vacated or other relief granted; and it is further

ORDERED that supplemental process enforcing this Court's Order may be issued by the Clerk upon application without further Order of the Court; and it is further

ORDERED that following initial service upon any garnishee by the United States Marshal or any other person designated or authorized by Order to make service in this action, subsequent or supplemental service of Process of Maritime Attachment and Garnishment may thereafter be made by way of facsimile transmission or other verifiable electronic means, including e-mail, to each garnishee so personally served; and it is further

ORDERED that service on any garnishee herein is deemed to be effective and continuous service throughout the remainder of the day upon which such service is made

commencing from the time of such service through the opening of garnishee's business the next business day; and it is further

ORDERED that a copy of this order be attached to and served with the said process of maritime attachment and garnishment; and it is further

ORDERED pursuant to Rule 4(c)(1) of the Federal Rules of Civil Procedure that the writs of attachment and garnishment may be served by any person, who is not less than 18 years old, and who is not a party to this action.

Dated: New York, New York

February 29, 2008

SO ORDERED

A handwritten signature in black ink, appearing to read "R. J. C.", is written over a horizontal line. The signature is fluid and cursive.

U.S.D.J.